



MICHIGAN

For Immediate Release

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Michigan Small Business Group Will Not Support Health Care Exchange Without Sunset Provision

Lansing (October 20, 2011) – Legislation to create a state health insurance exchange under the Federal Patient Protection and Affordable Care Act (PPACA) would have to include language to “sunset” the law before it would get the support of small business according to comments made today by the state chapter of the National Federation of Independent Business (NFIB).

“NFIB will not support any exchange legislation that does not include a sunset clause,” said NFIB Michigan State Director Charlie Owens. “A sunset clause should be included that would repeal the state exchange act if the federal law is found unconstitutional by the Supreme Court or repealed by Congress.”

The comments were made today during testimony by NFIB at a hearing of the Michigan House Health Policy Committee. The federal Patient Protection and Affordable Care Act supported by the Obama administration and passed by Congress in 2010 encourages states to create the exchanges by 2014. The exchanges are a key component of implementing the massive federal health care law in the states. States face the possibility of a federally run exchange being imposed if one is not in place by the required deadline.

However, according to Owens, there may not be any need for the exchange if the law ceases to exist before the deadline.

NFIB has been in litigation against the federal Patient Protection and Affordable Care Act (PPACA) since it’s passage in 2010. After a successful decision in August in the 11th Circuit Court of Appeals, NFIB filed a petition asking the Supreme Court of the United States to hear the case challenging the constitutionality of the Patient Protection and Affordable Care Act (PPACA). On the same day the federal government filed their own petition also asking the Supreme Court to hear the case. If the Court agrees to hear the case, then a decision is likely by June of 2012. A copy of the petition can be downloaded at <http://www.nfib.com/press-media/press-media-item?cmsid=58312>.

“NFIB is the only business organization challenging the constitutionality of the Patient Protection and Affordable Care Act in court,” said Owens. “We did not support the passage of this Act and, in addition to our efforts in Court, we have been, and are still, actively pursuing the repeal of the Act. If we are successful, then any state created exchange would be unnecessary and should cease to exist.”

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NFIB is the nation’s leading [small business association](http://www.nfib.com), with offices in Washington, D.C. and all 50 state capitals. Founded in 1943, NFIB’s mission is to promote and protect the right of our members to own, operate and grow their businesses. More information is available online at www.NFIB.com/newsroom.